

**TOWN OF SHEFFIELD  
SELECT BOARD  
WORKING MEETING  
JUNE 13, 2023  
TOWN HALL – SECOND FLOOR MEETING ROOM  
5:00 PM**

Board Members Present: Robert C. Kilmer, Jr., Chairman  
Nadine A. Hawver  
Rene C. Wood

Others Present: Rhonda LaBombard, Town Administrator  
Jill Hughes, Assistant Town Administrator  
Cassie Keeley, Animal Control Officer  
Tina Millman  
Anne Dunn  
Sean Kenny  
Members of the Public

Chairman Kilmer called the public hearing to order at 5:00 PM to consider the complaint of Tina Millman, 40 School Street, Ashley Falls, regarding a dog owned by Anne Dunn, 241 East Street, Ashley Falls. The Board will consider testimony in accordance with MGL Chapter 140, Section 157 regarding the dog named Nikko.

The Board heard testimony from Tina Millman. T. Millman stated that on May 6, 2023 she was walking her dog Calypso on the opposite side of the street from Anne Dunn's home. A. Dunn's dog Nikko, who was with two people, ran out of the yard crossed the street and attacked Calypso. T. Millman stated that she was yelling at Nikko and that the two people in the yard did nothing. She stated that A. Dunn pulled her dog off of Calypso. She expressed how traumatizing the event was. T. Millman stated that there are six neighbors who have had a negative experience with Nikko, although not as bad as hers, but none were present for the hearing.

The Board heard testimony from Anne Dunn. A. Dunn stated that on May 6, 2023 her son and his friend were at the house. She went outside to tether Nikko out and she got away from her and ran to her son. She stated that Nikko saw Calypso across the street and took off and attacked Calypso. She and her son ran after Nikko. A. Dunn stated that her son took Nikko back to the house. She stated she apologized and tried to talk to T. Millman, but she was too upset. She stated the attack lasted about one minute. A. Dunn discussed the 10 day quarantine from the Animal Control Officer. She stated she wrote T. Millman an apology letter and offered to pay the vet bill. A. Dunn informed the Board that she has not received the vet bill or a reply from T. Millman. She read a statement from her son Alex Dunn who witnessed the incident. A. Dunn showed the Board the contract she signed with Berkshire Fence, with an installation date of June 17, 2023. She also stated that she is scheduled to go before the Ashley Falls Historic District Commission (AFHDC) with a variance request for the fence. Photos of Nikko with her dog friends were shown to the Board.

Cassie Keeley, Animal Inspector read her report into the record. She explained that T. Millman left her a voicemail regarding the attack on her dog Calypso. C. Keeley stated that she issued a ten day quarantine and a running at large citation to Anne Dunn. She stated that T. Millman and A. Dunn's stories are slightly different. C. Keeley discussed the wounds that Calypso received and the visit to A. Dunn's house to release Nikko from her ten day quarantine. She shared photos of Nikko with the Board.

Selectman Hawver asked C. Keeley if there were any complaints in the past involving Nikko. She responded no, but a resident called her about an event in the past when she was walking by A. Dunn's house, in which Nikki barked.

Selectman Wood discussed the discrepancies in C. Keeley's report and asked her to correct them and resubmit to the Board.

Selectman Wood asked T. Millman if this was the first time her dog has been attacked by Nikko and how long the attack lasted. T. Millman responded that it was the first time and the attack lasted 3-4 minutes. Selectman Wood asked if the six neighbors that T. Millman stated as having a negative experience with Nikko had written letters, since no one was present. T. Millman responded that one neighbor said she would write a letter about her experience with Nikko who charged at them while on a lead.

Selectman Wood asked A. Dunn about the fencing in her yard and what was proposed. A. Dunn stated that the sides of the yard are fenced and Berkshire Fence will be installing fencing in the front. She stated that Nikko will be tethered in the backyard. A. Dunn stated that they currently has a 42" fence and have requested a variance from the Ashley Falls Historic District Commission to install a 48" fence.

Elizabeth McDonald stated that she owns two dogs and that they are best friends with Nikko. She stated that A. Dunn is a responsible dog owner.

Maria Ghi stated that she lives across the street from A. Dunn and has taken care of Nikko. She stated that Nikko has never shown any aggression.

Sean Kenny, A. Dunn's husband, stated that he usually tethers Nikko outside and walks her several times a day. He stated that she does bark at other dogs.

Selectman Wood asked if S. Kenny had a theory as to why Nikko attacked Calypso. He stated that Nikko is protective of her pack.

Selectman Wood asked S. Kenny about the fencing in the yard. S. Kenny stated that there is stockade fencing on both sides of the property and they are in the process of getting fence for the front of the property. He stated that they would fence the backyard in at a later date.

Chairman Kilmer stated that he owns the field that abuts the back of A. Dunn's property and that there is electric fence for his cows. He stated that this was an unfortunate incident, but he knows Nikko and does not think she is aggressive.

Selectman Wood stated that A. Dunn should pay the vet bill for Calypso. A. Dunn responded that she wrote to T. Millman asking for the bill so she could pay and that she included a self-addressed stamped envelope, but has never received it. T. Millman acknowledged to the Board that she received the letter from A. Dunn.

Selectman Hawver stated that this was a terrible incident, but she believes that A. Dunn and S. Kenny are responsible dog owners who are taking the necessary steps. She suggested that T. Millman send the vet bill to A. Dunn. Selectman Hawver stated that she does not think Nikko is a vicious dog.

Selectman Wood stated that she does not believe that Nikko is vicious, but they should know why she reacted that way. She suggested putting conditions on Nikko.

C. Keeley informed the Board that there is a one bite law in Massachusetts. She stated that the Board could deem Nikko a nuisance dog and place conditions on her.

Selectman Wood moved to deem Nikko a nuisance dog and to place the following conditions:

- Nikko is always leashed/under control
- Nikko is always tethered in the backyard
- The backyard of the property will be fenced in
- Install a 48" fence if allowed by the AFHDC

The motion died due to a lack of a second.

A. Dunn stated that they cannot afford to fence in the backyard as the fencing in the front is very expensive. She stated that they are tethering Nikko in the backyard and that this is the only incident they have had in the four years they have lived there.

Selectman Hawver moved to accept the changes that Anne Dunn and Sean Kenny have made that include:

- Keeping Nikko leashed at all times
- Keeping Nikko tethered in the back yard
- Installing fencing in the front yard

seconded by Chairman Kilmer. The motion carried 2-1, Selectman Wood voted against.

Selectman Wood moved to close the public hearing, seconded by Selectman Hawver. The motion carried unanimously.

Selectman Wood moved to adjourn the meeting, seconded by Selectman Hawver. The motion carried unanimously.

Chairman Kilmer adjourned the meeting at 5:58 PM.

Respectfully submitted:



Jill Hughes  
Assistant Town Administrator

Documents reviewed at this meeting:  
Report from Animal Control Officer  
Statement from Alex Dunn